

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

JOSEPH DOE,	)	
By His Parents and Next Friends	)	
JAMES DOE and JANE DOE	)	
CASEY ROE,	)	
By Her Mother and Next Friend	)	
BARBARA ROE	)	
	)	
Plaintiffs,	)	
vs.	)	C.A. NO.: 1:22-cv-10702-ADB
	)	
AYLA GAVIS; JENERRA WILLIAMS; NAKIA	)	
KEIZER; and, THE CITY OF BOSTON	)	
Defendants.	)	

**ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANT, NAKIA KEIZER**

Now comes the Defendant, NAKIA KEIZER and herein Answers the Plaintiffs' Amended Complaint as follows:

**PARTIES & JURISDICTION**

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1. To the extent an answer is required, Defendant denies the allegations contained in paragraph 1.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2. To the extent an answer is required, Defendant denies the allegations contained in paragraph 2.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3. To the extent an answer is required, Defendant denies the allegations contained in paragraph 3

4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4. To the extent an answer is required, Defendant denies the allegations contained in paragraph 4.

5. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5. To the extent an answer is required, Defendant denies the allegations contained in paragraph 5.

6. Paragraph 6 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 6.

7. Paragraph 7 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 7.

8. Defendant admits that BPS operated the Mission Hill School aka MHS which was K-8 pilot school located at 20 Child Street in Jamaica Plain, Massachusetts.

9. Paragraph 9 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 9.

10. Upon information and belief, Defendant admits the allegations contained in paragraph 10.

11. Upon information and belief, Defendant admits the allegations contained in paragraph 11.

12. Defendant admits the allegations contained in paragraph 12.

13. Paragraph 13 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 13.

14. Paragraph 14 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 14.

### **FACTUAL ALLEGATIONS**

#### **Leadership and Culture at Mission Hill School**

15. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15. To the extent an answer is required, Defendant denies the allegations contained in paragraph 15.

16. Paragraph 16 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 16.

17. Paragraph 17 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 17.

18. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 18.

19. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 19.

20. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 20.

21. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 21.

22. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 22.

23. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 23.

24. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 24.

25. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 25.

26. Paragraph 26 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 26.

27. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 27.

28. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 28.

29. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 29.

30. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 30.

31. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 31.

32. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 32.

33. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 33. To the extent an answer is required, Defendant denies the allegations contained in paragraph 33.

34. Defendant denies the allegations contained in paragraph 34.

35. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 35.

36. Defendant denies the allegations contained in paragraph 36. In addition, paragraph 36 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 36.

#### **Investigations and Recent Closure of the Mission Hill School**

37. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 37. To the extent an answer is required, Defendant denies the allegations contained in paragraph 37.

38. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 38. To the extent an answer is required, Defendant denies the allegations contained in paragraph 38.

39. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 39 and its sub parts. To the extent an answer is required, Defendant denies the allegations contained in paragraph 39 sub parts.

40. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 40. To the extent an answer is required, Defendant denies the allegations contained in paragraph 40. To the extent the purported report or document exists, it speaks for itself.

41. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 41. To the extent an answer is required, Defendant denies the allegations contained in paragraph 41.

42. Upon information and belief Defendant admits that a report was released on April 25, 2022 and posted on the BPS website. Said report as posted speaks for itself. To the extent further answer is necessary, Defendant denies the allegations in paragraph 42.

43. Upon information and belief, Defendant admits that he is referred to as MH Staff 6 throughout the HA Report I. Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 43. To the extent an answer is required, Defendant denies the remaining allegations contained in paragraph 43.

44. Paragraph 44 and its sub parts contain characterizations of a report and Internet website, to which no response is required. To the extent an answer is required to paragraph 44 and its subparts, Defendant denies the allegations contained in paragraph 44 and its sub parts and notes that the purported report or document speaks for itself.

45. Upon information and belief, Defendant admits that MHS maintained an email domain on Google Drive, @missionhillschool.org, which was accessed by MHS staff using Gmail accounts. Defendant denies the remaining allegations in paragraph 45.

46. Defendant denies the allegations contained in paragraph 46.

47. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 47. To the extent an answer is required, Defendant denies the allegations contained in paragraph 47.

48. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 48. To the extent an answer is required, Defendant denies the allegations contained in paragraph 48.

49. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 49. To the extent an answer is required, Defendant denies the allegations contained in paragraph 49.

50. The purported report or document speaks for itself. To the extent an answer is required Defendant denies the allegations contained in paragraph 50.

51. Upon information and belief, Defendant admits the allegations contained in paragraph 51.

#### **Joseph Doe's Experience at MHS**

52. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 52. To the extent an answer is required, Defendant denies the allegations contained in paragraph 52.

53. Defendant admits the allegations contained in paragraph 53.

54. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 54. To the extent an answer is required, Defendant denies the allegations contained in paragraph 54.

55. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 55. To the extent an answer is required, Defendant denies the allegations contained in paragraph 55.

56. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 56. To the extent an answer is required, Defendant denies the allegations contained in paragraph 56.

57. Paragraph 57 contains a legal conclusion and argument, therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 57.

58. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 58. To the extent an answer is required, Defendant denies the allegations contained in paragraph 58.

59. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 59. To the extent an answer is required, Defendant denies the allegations contained in paragraph 59.

60. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 60. To the extent an answer is required, Defendant denies the allegations contained in paragraph 60.

61. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 61. To the extent an answer is required, Defendant denies the allegations contained in paragraph 61.

62. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 62. To the extent an answer is required, Defendant denies the allegations contained in paragraph 62.

63. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 63. To the extent an answer is required, Defendant denies the allegations contained in paragraph 63.

64. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 64. To the extent an answer is required, Defendant denies the allegations contained in paragraph 64.

65. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 65. To the extent an answer is required, Defendant denies the allegations contained in paragraph 65.

66. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 66. To the extent an answer is required, Defendant denies the allegations contained in paragraph 66.

67. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 67. To the extent an answer is required, Defendant denies the allegations contained in paragraph 67.

68. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 68. To the extent an answer is required, Defendant denies the allegations contained in paragraph 68.

69. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 69. To the extent an answer is required, Defendant denies the allegations contained in paragraph 69.

70. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 70. To the extent an answer is required, Defendant denies the allegations contained in paragraph 70.

71. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 71. To the extent an answer is required, Defendant denies the allegations contained in paragraph 71.

72. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 72. To the extent an answer is required, Defendant denies the allegations contained in paragraph 72.

73. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 73. To the extent an answer is required, Defendant denies the allegations contained in paragraph 73.

74. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 74. To the extent an answer is required, Defendant denies the allegations contained in paragraph 74.

75. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 75. To the extent an answer is required, Defendant denies the allegations contained in paragraph 75.

76. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 76. To the extent an answer is required, Defendant denies the allegations contained in paragraph 76.

77. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 77. To the extent an answer is required, Defendant denies the allegations contained in paragraph 77.

78. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 78. To the extent an answer is required, Defendant denies the allegations contained in paragraph 78.

79. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 79. To the extent an answer is required, Defendant denies the allegations contained in paragraph 79.

80. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 80. To the extent an answer is required, Defendant denies the allegations contained in paragraph 80.

81. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 81. To the extent an answer is required, Defendant denies the allegations contained in paragraph 81.

82. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 82. To the extent an answer is required, Defendant denies the allegations contained in paragraph 82.

83. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 83. To the extent an answer is required, Defendant denies the allegations contained in paragraph 83.

84. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 84. To the extent an answer is required, Defendant denies the allegations contained in paragraph 84. To the extent this paragraph alleges an act or omission by this Defendant, such allegations are denied.

85. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 85. To the extent an answer is required, Defendant denies the allegations contained in paragraph 85.

86. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 86. To the extent an answer is required, Defendant denies the allegations contained in paragraph 86.

87. Defendant denies the allegations contained in paragraph 87.

88. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 88. To the extent an answer is required, Defendant denies the allegations contained in paragraph 88.

89. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 89. To the extent an answer is required, Defendant denies the allegations contained in paragraph 89.

90. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 90. To the extent an answer is required, Defendant denies the allegations contained in paragraph 90.

91. Paragraph 91 and its sub parts summarize and/or describe an apparent summary of another document or report which apparently summarizes various communications and/or documents. The original documents speak for themselves and thus no answer is necessary. To the extent that an answer is required, Defendant denies the allegations contained in paragraph 91 and its subparts.

92. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 92. To the extent an answer is required, Defendant denies the allegations contained in paragraph 92.

93. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 93. To the extent an answer is required, Defendant denies the allegations contained in paragraph 93.

94. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 94.

95. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 95. To the extent an answer is required, Defendant denies the allegations contained in paragraph 95.

96. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 96. To the extent an answer is required, Defendant denies the allegations contained in paragraph 96.

97. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 97. To the extent an answer is required, Defendant denies the allegations contained in paragraph 97.

98. Defendant denies the allegations contained in paragraph 98. In addition, paragraph 3986 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 98.

99. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 99. To the extent an answer is required, Defendant denies the allegations contained in paragraph 99.

100. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 100. To the extent an answer is required, Defendant denies the allegations contained in paragraph 100.

101. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 101. To the extent an answer is required, Defendant denies the allegations contained in paragraph 101.

102. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 102. To the extent an answer is required, Defendant denies the allegations contained in paragraph 102.

103. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 103. To the extent an answer is required, Defendant denies the allegations contained in paragraph 103.

104. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 104. To the extent an answer is required, Defendant denies the allegations contained in paragraph 104.

105. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 105. To the extent an answer is required, Defendant denies the allegations contained in paragraph 105.

106. Defendant admits that he was aware that the Plaintiff had educational and social difficulties. Defendant denies the remaining allegations of paragraph 106.

**Casey Roe's Experience At MHS**

107. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

108. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 108. To the extent an answer is required, Defendant denies the allegations contained in paragraph 108.

109. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 109. To the extent an answer is required, Defendant denies the allegations contained in paragraph 109.

110. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 110. To the extent an answer is required, Defendant denies the allegations contained in paragraph 110.

111. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 111. To the extent an answer is required, Defendant denies the allegations contained in paragraph 111.

112. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 112. To the extent an answer is required, Defendant denies the allegations contained in paragraph 112.

113. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 113. To the extent an answer is required, Defendant denies the allegations contained in paragraph 113.

114. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 114. To the extent an answer is required, Defendant denies the allegations contained in paragraph 114.

115. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 115. To the extent an answer is required, Defendant denies the allegations contained in paragraph 115.

116. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 116. To the extent an answer is required, Defendant denies the allegations contained in paragraph 116.

117. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 117. To the extent an answer is required, Defendant denies the allegations contained in paragraph 117.

118. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 118. To the extent an answer is required, Defendant denies the allegations contained in paragraph 118.

119. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 119. To the extent an answer is required, Defendant denies the allegations contained in paragraph 119.

120. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 120. To the extent an answer is required, Defendant denies the allegations contained in paragraph 120.

121. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 121. To the extent an answer is required, Defendant denies the allegations contained in paragraph 121.

122. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 122. To the extent an answer is required, Defendant denies the allegations contained in paragraph 122.

123. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 123. To the extent an answer is required, Defendant denies the allegations contained in paragraph 123.

124. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 124. To the extent an answer is required, Defendant denies the allegations contained in paragraph 124.

125. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 125. To the extent an answer is required, Defendant denies the allegations contained in paragraph 125.

126. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 126. To the extent an answer is required, Defendant denies the allegations contained in paragraph 126.

127. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 127. To the extent an answer is required, Defendant denies the allegations contained in paragraph 127.

128. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 128. To the extent an answer is required, Defendant denies the allegations contained in paragraph 128.

129. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 129. To the extent an answer is required, Defendant denies the allegations contained in paragraph 129.

130. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 130. To the extent an answer is required, Defendant denies the allegations contained in paragraph 130.

131. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 131. To the extent an answer is required, Defendant denies the allegations contained in paragraph 131.

132. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 132. To the extent an answer is required, Defendant denies the allegations contained in paragraph 132.

133. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 133. To the extent an answer is required, Defendant denies the allegations contained in paragraph 133.

134. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 134. To the extent an answer is required, Defendant denies the allegations contained in paragraph 134.

135. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 135. To the extent an answer is required, Defendant denies the allegations contained in paragraph 135.

136. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 136 and its sub parts. To the extent an answer is required, Defendant denies the allegations contained in paragraph 136 and its sub parts.

137. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 137. To the extent an answer is required, Defendant denies the allegations contained in paragraph 137.

138. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 138. To the extent an answer is required, Defendant denies the allegations contained in paragraph 138.

139. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 139. To the extent an answer is required, Defendant denies the allegations contained in paragraph 139.

140. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 140. To the extent an answer is required, Defendant denies the allegations contained in paragraph 140.

141. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 141. To the extent an answer is required, Defendant denies the allegations contained in paragraph 141.

142. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 142. To the extent an answer is required, Defendant denies the allegations contained in paragraph 142.

143. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 143. To the extent an answer is required, Defendant denies the allegations contained in paragraph 143.

144. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 144. To the extent an answer is required, Defendant denies the allegations contained in paragraph 144.

145. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 145. To the extent an answer is required, Defendant denies the allegations contained in paragraph 145.

146. Defendant denies the allegations contained in paragraph 146.

147. Defendant denies the allegations contained in paragraph 147.

148. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 148. To the extent an answer is required, Defendant denies the allegations contained in paragraph 148.

149. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 149. To the extent an answer is required, Defendant denies the allegations contained in paragraph 149.

150. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 150. To the extent an answer is required, Defendant denies the allegations contained in paragraph 150.

151. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 151. To the extent an answer is required, Defendant denies the allegations contained in paragraph 151.

152. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 152. To the extent an answer is required, Defendant denies the allegations contained in paragraph 152.

153. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 153. To the extent an answer is required, Defendant denies the allegations contained in paragraph 153.

154. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 154. To the extent an answer is required, Defendant denies the allegations contained in paragraph 154.

155. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 155. To the extent an answer is required, Defendant denies the allegations contained in paragraph 155.

156. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 156. To the extent an answer is required, Defendant denies the allegations contained in paragraph 156.

157. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 157. To the extent an answer is required, Defendant denies the allegations contained in paragraph 157.

158. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 158. To the extent an answer is required, Defendant denies the allegations contained in paragraph 158.

**JOSEPH DOE'S CLAIM FOR VIOLATION OF CIVIL RIGHTS – 42 U.S.C.**

**§1983 - GAVINS**

159. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

160. Paragraph 160 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 160.

161. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 161.

162. Defendant denies the allegations contained in paragraph 162. In addition, paragraph 162 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 162.

163. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 163.

164. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 164.

165. Paragraph 165 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 165.

166. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 166.

**JOSEPH DOE'S CLAIM FOR VIOLATION OF CIVIL RIGHTS – 42 U.S.C. §1983 – WILLIAMS**

167. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

168. Paragraph 168 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 168.

169. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 169.

170. Defendant denies the allegations contained in paragraph 170. In addition, paragraph 170 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 170.

171. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 171.

172. Paragraph 172 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 172.

173. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 173.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**JOSEPH DOE'S CLAIM FOR VIOLATION OF CIVIL RIGHTS – 42 U.S.C.  
§1983 – KEIZER**

174. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

175. Paragraph 175 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 175.

176. Defendant denies the allegations contained in paragraph 176.

177. Defendant denies the allegations contained in paragraph 177. In addition, paragraph 177 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 177.

178. Defendant denies the allegations contained in paragraph 178. In addition, paragraph 178 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 178.

179. Defendant denies the allegations contained in paragraph 179. In addition, paragraph 179 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 179.

180. Defendant denies the allegations contained in paragraph 180. In addition, paragraph 180 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 180.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**JOSEPH DOE'S CLAIM FOR VIOLATION OF CIVIL RIGHTS – 42 U.S.C.**  
**§1983 – CITY OF BOSTON**

181. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

182. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 182.

183. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 183.

184. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 184.

185. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 185.

186. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 186.

187. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 187.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**JOSEPH DOE'S CLAIM FOR VIOLATION OF TITLE IX – 20 U.S.C. §1681 –  
CITY OF BOSTON**

188. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

189. Defendant denies the allegations contained in paragraph 189.

190. Defendant denies the allegations contained in paragraph 190.

191. Defendant denies the allegations contained in paragraph 191.

192. Defendant denies the allegations contained in paragraph 192. In addition, paragraph 192 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 192.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**JOSEPH DOE'S CLAIM FOR VIOLATION OF TITLE II, ADA (42 U.S.C.  
§12101), AND SECTION 504 OF THE REHABILITATION ACT OF 1973 (29 U.S.C.  
§794) – CITY OF BOSTON**

193. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

194. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 194. To the extent an answer is required, Defendant denies the allegations contained in paragraph 194.

195. Defendant denies the allegations contained in paragraph 195. In addition, paragraph 195 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 195.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**CASEY ROE'S CLAIM FOR VIOLATION OF CIVIL RIGHTS – 42 U.S.C. §1983 – GAVINS**

196. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

197. Paragraph 197 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 197.

198. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 198.

199. Paragraph 199 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent an answer is required, Defendant denies the allegations contained in paragraph 199.

200. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 200.

201. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 201.

202. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 201.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**CASEY ROE'S CLAIM FOR VIOLATION OF CIVIL RIGHTS – 42 U.S.C. §1983**  
**-CITY OF BOSTON**

203. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

204. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 204.

205. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 205.

206. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 206.

207. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 207.

208. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 208.

209. The allegations of this paragraph are not directed at this Defendant. To the extent a response is required, Defendant denies the allegations contained in paragraph 209.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**CASEY ROE'S CLAIM FOR VIOLATION OF TITLE IX – 20 U.S.C. §1681 –**  
**CITY OF BOSTON**

210. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

211. Defendant denies the allegations contained in paragraph 211.

212. Defendant denies the allegations contained in paragraph 212.

213. Defendant denies the allegations contained in paragraph 213.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**CASEY ROE'S CLAIM FOR VIOLATION OF TITLE II, ADA (42 U.S.C. §12101),  
AND SECTION 504 OF THE REHABILITATION ACT OF 1973 (29 U.S.C. §794) –  
CITY OF BOSTON**

214. Defendant restates and repeats his responses to the preceding paragraphs as if fully set forth herein.

215. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 215. To the extent an answer is required, Defendant denies the allegations contained in paragraph 215.

216. Defendant denies the allegations contained in paragraph 216. In addition, paragraph 216 contains a legal conclusion therefore no answer is required and Defendant demands proof thereof at the time of trial. To the extent further answer is required, Defendant denies the allegations contained in paragraph 216.

**WHEREFORE**, Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

The remainder of Plaintiffs' Amended Complaint consists of a prayer for relief, to which no response is required. To the extent a response is deemed required, Defendant denies Plaintiffs are entitled to the requested relief or to any relief whatsoever.

Defendant denies any and all other allegations set forth in the Amended Complaint not otherwise admitted or qualified above.

**REQUEST FOR RELIEF**

Defendant respectfully requests that the Plaintiffs' Complaint be denied and dismissed together with such other and further relief as this Court deems just and proper.

**AFFIRMATIVE DEFENSES**

**FIRST AFFIRMATIVE DEFENSE**

The Defendant states that the acts/omissions complained of were not committed by a person for whose conduct the Defendant was legally responsible.

**SECOND AFFIRMATIVE DEFENSE**

The Defendant states that the Plaintiff is barred from recovery under M.G.L.ch. 258, §10.

**THIRD AFFIRMATIVE DEFENSE**

The Defendant states that the Plaintiff is barred from recovery under the doctrine of qualified immunity.

**FOURTH AFFIRMATIVE DEFENSE**

The Defendant states that the Complaint should be dismissed for failure to state a claim upon which relief can be granted.

**FIFTH AFFIRMATIVE DEFENSE**

The Defendant states that the Complaint and/or cause of action is barred by the Statute of Limitations and/or Statute of Repose.

**SIXTH AFFIRMATIVE DEFENSE**

The Defendant states that the Plaintiffs, by their conduct and actions and/or the conduct and actions of their agents and servants, are estopped to recover any judgment against this Defendant.

**SEVENTH AFFIRMATIVE DEFENSE**

The Defendant states that notice of the claim was never given by Plaintiff as required by law thus prejudicing the Defendant and that Plaintiff is therefore barred from recovery.

**EIGHTH AFFIRMATIVE DEFENSE**

The Defendant states that the Complaint should be dismissed for insufficient service of process.

**NINTH AFFIRMATIVE DEFENSE**

The Defendant states that the Complaint should be dismissed for insufficient process served.

**TENTH AFFIRMATIVE DEFENSE**

The Defendant was not deliberately indifferent towards the Plaintiffs nor did he deprive the Plaintiffs of any educational opportunities.

**ELEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs' injuries and/or damages, if any, were proximately caused by their own negligent or intentional conduct and/or by the negligent or intentional conduct of others, and not by the conduct of the Defendant.

**TWELFTH AFFIRMATIVE DEFENSE**

At all times relevant hereto, the Defendant has acted reasonably, within the scope of his official discretion, in good faith, and with an objectively reasonable belief that their actions were lawful and in compliance with the laws and Constitutions of the Commonwealth of Massachusetts and the United States of America.

**THIRTEENTH AFFIRMATIVE DEFENSE**

The Defendant's acts and conduct were performed according to, and protected by, law and/or legal process and, therefore, the Plaintiffs cannot recover.

**FOURTEENTH AFFIRMATIVE DEFENSE**

The Defendant is immune from suit as he was engaging in discretionary functions pursuant to Mass. Gen. Laws c. 258, § 10(b).

**FIFTEENTH AFFIRMATIVE DEFENSE**

The Defendant is immune from suit as he was engaging in discretionary functions pursuant to Mass. Gen. Laws c. 258, § 10(c).

**SIXTEENTH AFFIRMATIVE DEFENSE**

The Defendant is immune from suit as he was engaging in discretionary functions pursuant to Mass. Gen. Laws c. 258, § 10(h).

**SEVENTEENTH AFFIRMATIVE DEFENSE**

None of the Defendant's acts or omissions were a proximate cause of injuries or damages, if any, allegedly sustained by the Plaintiffs, nor were these alleged injuries or damages caused by any person or entity within the Defendant's responsibility or control.

**EIGHTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs have not been deprived of any rights secured by either the Constitution, the laws of the United States or of the Commonwealth of Massachusetts.

**NINETEENTH AFFIRMATIVE DEFENSE**

The Defendant was justified in his acts or conduct and therefore the Plaintiffs cannot recover.

**TWENTIETH AFFIRMATIVE DEFENSE**

Plaintiffs' damages, if any, were caused in whole or in part by the acts of a third party.

**TWENTY-FIRST AFFIRMATIVE DEFENSE**

The damages alleged in Plaintiffs' Amended Complaint were the result of supervening and intervening causes unrelated to any acts of the Defendant.

**TWENTY-SECOND AFFIRMATIVE DEFENSE**

The Plaintiffs are unable to show that the Defendant acted negligently on the date, time and location of the alleged incidents and/or caused the incidents set forth in Plaintiffs' Complaint.

**TWENTY-THIRD AFFIRMATIVE DEFENSE**

Any injury or deprivation suffered by the Plaintiffs was caused in whole or in part by the actions of a person or persons over whom the Defendant had no control and for whom the Defendant is not responsible and/or was acting outside the scope of his employment.

**TWENTY-FOURTH AFFIRMATIVE DEFENSE**

The Defendant was justified in his acts or conduct and therefore the Plaintiffs cannot recover.

**TWENTY-FIFTH AFFIRMATIVE DEFENSE**

The Defendant states that they herein reserve the right to supplement their response and defenses should additional defenses become known through investigation and/or discovery.

**JURY CLAIM**

DEFENDANT DEMANDS AND CLAIMS A TRIAL ON ALL ISSUES TO THE FULLEST EXTENT ALLOWED BY LAW.

DEFENDANT,  
Nakia Keizer,  
By his Attorneys,

/s/ Samuel Kennedy-Smith, Esq. \_\_\_\_\_

/s/ Paul Facklam, Esq. \_\_\_\_\_

Samuel Kennedy-Smith, BBO No. 685647

Paul Facklam, BBO No. 638190

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**CERTIFICATE OF SERVICE**

I, Samuel Kennedy-Smith attorney for Defendant, hereby certify that this document was filed through the CM/ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on October 3, 2022.

*/s/ Samuel Kennedy-Smith*

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Samuel Kennedy-Smith, Esq.